

CRIMINAL MINUTES

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

CASE NO. <u>5:21-cr-9</u>	DATE <u>1/6/2022</u>	TIME <u>11:15-12:00</u>
USA v. <u>Daniel Mendoza/Esther Garcia</u>	TAPE NO. <u>FTR-WAY-CR1</u>	JUDGE <u>WOOD</u>
BEFORE BENJAMIN W. CHEESBRO, U.S. MAGISTRATE JUDGE		INTERPRETER: <u>Davor Zidovec</u>

<u>X</u> DEFENDANTS PRESENT		
<u>X</u> COUNSEL FOR DEFENDANTS	<u>Kimberly Copeland, retained/Whitney Johnson, appointed</u>	
<u>X</u> ASSISTANT U.S. ATTORNEY	<u>Tania Groover</u>	
<u>X</u> DEPUTY CLERK	<u>Kim Mixon</u>	
<u>X</u> U.S.P.O	<u>Fonda Dixon</u>	
<u>X</u> U.S. MARSHAL	<u>Jay Ciambrone</u>	<u>Marty Fitzgurls</u> <u>X</u> <u>Jason Parnell</u>
<u> </u> INITIAL APPEARANCE	<u> </u> <u>X</u> ARRAIGNMENT	

DEFENDANTS PREVIOUSLY APPEARED IN OTHER DISTRICTS. RULE 5 DOCUMENTS RECEIVED FOR BOTH DEFENDANTS.

DEFENDANT ESTHER GARCIA REQUESTED ASSISTANCE OF INTERPRETER.

COURT FINDS DEFENDANT ESTHER GARCIA QUALIFIES FOR APPOINTED COUNSEL. WHITNEY JOHNSON APPOINTED FOR DEFENDANT ESTHER GARCIA. BOTH DEFENDANTS PLED NOT GUILTY.

GOVERNMENT PROVIDES SCOPE AND STATUS OF DISCOVERY. GOVERNMENT REQUESTS 2TB HARDDRIVE FOR DISCOVERY UPLOAD FOR DEFENSE. COURT ADVISED PARTIES OF GOVERNMENT'S DISCLOSURE OBLIGATIONS UNDER FRCP 5(f)(1) and *Brady v. Maryland*. COURT GOES OVER CURRENT SCHEDULE IN THE CASE. GOVERNMENT INDICATES IT INTENDS TO FILE MOTION TO DESIGNATE CASE AS COMPLEX AND PLANS TO FILE MOTION FOR PROTECTIVE ORDER.

AS TO PENDING MOTION FOR ORDER ALLOWING THE GOVERNMENT TO MAINTAIN CUSTODY OF SEIZED PROPERTY, DOC. 98, DEFENDANTS ARE REQUIRED TO FILE RESPONSE WITHIN 10 DAYS FROM TODAY.

DEFENSE COUNSEL FOR BOTH DEFENDANTS REQUEST 180 DAY FROM TODAY TO PREPARE AND FILE PRETRIAL MOTIONS. COURT GRANTS REQUEST AND WILL SET ALL DEFENDANTS WHO HAVE PREVIOUSLY APPEARED ON THE SAME SCHEDULE.

DETENTION ADDRESSED. DEFENDANT ESTHER GARCIA PREVIOUSLY RELEASED ON CONDITIONS. DEFENDANT ESTHER GARCIA CURRENTLY LIVING WITH CO-DEFENDANT DAUGHTER, ROSALVA GARCIA. GOVERNMENT ARGUMENT ON HOUSING ISSUE OF ESTHER GARCIA. 11:39-11:40. DEFENSE ARGUMENT ON ESTHER GARCIA'S LIVING ARRANGMENT 11:41-11:42.

COURT: ESTHER GARCIA IS TO HAVE NO CONTACT WITH ANY CO-DEFENDANT EXCEPT FOR HER DAUGHTER, ROSALVA GARCIA. ESTHER GARCIA PERMITTED TO LIVE WITH DAUGHTER ROSALVA GARCIA BUT CAN HAVE NO COMMUNICATIONS WITH DAUGHTER ROSALVA GARCIA REGARDING THIS CASE OR ANY MATTER RELATED TO THE CASE. USPO FONDA DIXON TO NOTIFY SUPERVISING OFFICER AS TO THIS UPDATED CONDITION. ESTHER GARCIA ALLOWED TO REMAIN ON BOND UNDER CONDITIONS PREVIOUSLY SET BY THE COURT.

DEFENDANT DANIEL MENDOZA RELEASED ON \$50,000 APPEARANCE BOND SECURED BY THIRD PARTY SURETY. ORDER SETTING CONDITIONS TO FOLLOW.